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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,544	11/09/2001	Petter Karlsson	040080-164	5848

7590

09/29/2003

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EXAMINER

WINDMULLER, JOHN

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 09/29/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/986,544

Applicant(s)

KARLSSON ET AL.

Examiner

John Windmuller

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hakoun et al. in view of Frederick Jr. Hakoun et al. disclose the invention substantially as claimed including, inter alia, a motor (Fig. 1, 12, 13; col. 3, lines 54, 55, 64-66), . But Hakoun et al. do not disclose a detector that is a microphone to detect the completion of the cut to effect the stop of the workpiece cutting movement in a glass cutting device. However, Frederick Jr. teaches a detector that is a microphone to detect the completion of the cut to effect the stop of the workpiece cutting movement in a glass cutting device (col. 2, lines 53-59; col. 3, lines 6-7; col. 3, lines 26-31; col. 5, lines 46-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the device of Hakoun et al. with a detector that is a microphone to detect the completion of the cut to effect the stop of the workpiece cutting movement in a glass cutting device as taught by Frederick Jr. for better automated cutting.
3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hakoun et al. in view of Frederick Jr. as applied to claims 1, 3, 4 above, and further in view of

Bando '801. The modified device of Hakoun et al. discloses the invention as claimed except a linear motor. However, Bando '801 teaches a linear motor (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the modified device of Hakoun et al. with a linear motor as taught by Bando '801 for improved motion control.

### ***Response to Arguments***

4. Upon further consideration, the device of Yoshikuni et al. does not teach a microphone. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Frederick Jr. and Bando '801.

On page 8 of the Applicant's remarks, Applicant states that Hakoun et al. do not disclose a control unit to start the cutting movement. However, it is inherent in a motorized device such as that disclosed in Hakoun et al. that the motor may be started and stopped and a control unit of some sort to effect starting and stopping is also inherent to this type of motorized device.

Also, the device of Frederick Jr. is capable of detecting the completion of the cut and stopping the workpiece cutting movement (see col. 3, lines 26-30). Similarly, Frederick Jr. is capable of automatically stopping the fiber cutter at a predetermined position if no sound is detected (see col. 3, lines 26-30). Frederick Jr. also discloses automation (col. 1, lines 60-67).

Examiner has provided Bando '801 and Bando '268 to oblige Applicant's request to provide evidence that linear motors are well known in the art.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bando '268 (claim 10, linear motor).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Windmuller whose telephone number is 703 305-4988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703 308-1082. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-1148.

  
jw

  
Allan S. Shoap  
Supervisory Patent Examiner  
Group 3700